

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

CRYSTALLEX INTERNATIONAL  
CORPORATION,

Plaintiff,

v.

BOLIVARIAN REPUBLIC  
OF VENEZUELA,

Defendant.

C.A. No. 17-mc-151-LPS

**CRYSTALLEX INTERNATIONAL CORPORATION'S  
ANSWERING BRIEF ON OPEN MATTERS REGARDING THE SALE PROCESS**

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Dated: January 14, 2025

Pursuant to the Court's Order, D.I. 1518, Crystallex submits this answering brief in response to the Venezuela Parties' submission regarding the appropriate price to be achieved as a result of the sale of the PDVH shares, D.I. 1524.

The Venezuela Parties' opening brief makes clear their intent to conduct wide-ranging discovery into every aspect of the sale process, including supposed "procedural defects" that have not arisen and may never occur. *Id.*, at 4. Such broad and unnecessary fishing expeditions could put at risk the Court's sale timetable, D.I. 1517, ¶¶ 3-21, and would undermine the Court's Order permitting only "limited discovery" "relevant to whether the Court should approve the [recommended] bid," *id.*, ¶ 29.

In light of the Venezuela Parties' position that the issue of the scope of discovery is not yet ripe, D.I. 1524, at 4, and this Court's admonition to avoid unnecessary briefing, D.I. 1518, rather than litigate the issue now, Crystallex reserves its rights to contest discovery requests that would unduly delay the sale process, including the overly broad discovery the Venezuela Parties suggest they intend to conduct in their opening brief, and to address the appropriate standard by which to judge any such requests that exceed the scope of the "limited discovery" permitted by this Court in its December 31, 2024 Order, D.I. 1517, ¶ 29.<sup>1</sup>

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<sup>1</sup> To the extent that the Court elects to engage with the Venezuela Parties' placeholder argument on unconscionability, Crystallex respectfully directs the Court to its response to Point III in its Opening Brief. D.I. 1521, at 2-4.

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